

REMARKS

Claims 1-20 are pending in the application. Responsive to the Office Action dated 26 July 2006, applicant has amended independent claim 1 (shown in the Listing of Claims attached hereto) in order to more particularly and completely claim the present invention. No new matter has been introduced. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and following remarks.

Claim Rejections – 35 U.S.C. §101

Claims 1-5, 7, and 8 have been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Independent claim 1 has been amended herein to clarify a tangible, real-world result. Specifically, amended claim 1 states: “comparing the mud slowness with a selected criterion to detect a kick in a borehole.”

Since claims 2-5, 7, and 8 depend from independent claim 1, they include the tangible, real-world result of amended claim 1. Therefore, applicant respectfully requests that the rejection under 35 U.S.C. §101 be withdrawn.

Double Patenting

Claims 1-20 have been rejected on the ground of non-statutory obviousness-type double patenting over U.S. Patent No. 6,957,572, in view of Gouilloud (US 4,628,725). A Terminal Disclaimer in compliance with 37 CFR 1.321(c) and a Statement under CFR 3.73 (b) are attached with a true copy of the original assignment in the patent application relating to U.S. Patent No. 6,957,572. Applicant believes that the attached documents overcome the double patenting rejection of claims 1-20.

Conclusion

In light of the above amendments and remarks, applicant believes that the present application and claims 1-20 are in proper condition for allowance. Such allowance is earnestly requested.

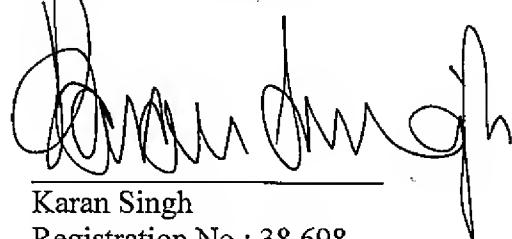
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In the event that any additional fees or credits are due owing to this response,
the Commissioner is hereby authorized to charge the amount necessary to cover any
fee that may be due or to credit any overpayment to Deposit Account 50-1122.

Respectfully submitted,



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